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June 2, 2004

April Mulqueen, Esquire  
Assistant Director  
Telecommunications Division  
Massachusetts Department of Telecommunications and Energy  
One South Station, 2<sup>nd</sup> Floor  
Boston, MA 02110

**Re: Request for Waiver of NANPA's Denial of Verizon-MA's Request for  
5000 numbers to serve a large business customer**

Dear Ms. Mulqueen:

The purpose of this letter is to seek a waiver of NANPA's (*i.e.*, NeuStar) decision to deny Verizon Massachusetts' ("Verizon MA") request for 5000 numbers to permit Verizon MA to offer service to a large business customer in MA. Verizon-MA takes such action pursuant to Federal Communications Commission ("FCC") rules [47 C.F.R. 52.15(g)(3)(iv)].

**I. NATURE OF NUMBERING REQUEST**

One large client, a customer of Verizon MA, requested 5000 telephone numbers specifically in the XXXX number ranges in order to provide integrated dialing at a new facility they have purchased. The Customer currently utilizes numerous DID numbers in XXXX which will be linked to the new facility. As such, The Customer is in need of 5000 consecutive number blocks, in the XXXX series. Verizon MA currently does not have 5000 blocks of consecutive numbers in any of the requested series in its inventory for the XXXX exchange. The Customer's request for these specific consecutive numbers is so that its telecommunications systems will continue to be compatible with its planned dialing patterns. A new exchange will need to be assigned for the new numbers and they need to be consecutive for this and administration purposes. A copy of the customer letter to Verizon MA indicating the need for the activation of 5000 consecutive numbers and the specific plans of the Customer are outlined in attachment, Exhibit A.

On March 18, 2004, Verizon MA submitted a Central Office Code (NXX) Assignment Request (a "Part 1" form) to the NANPA (NeuStar), requesting XXXX consecutive thousands blocks to meet the Customer's needs. The Company explained that it did not have the needed numbers available in its existing inventory in the XXXX rate center. A copy of the "Part 1" form is attached as Exhibit B.

On March 19, 2004, NANPA's Central Office Code Administrator denied the Company's request on the grounds that Verizon MA had not met the rate-center-based MTE criteria, as set forth by the FCC. This denial was based upon not meeting the months-to-exhaust ("MTE") requirements – notwithstanding the fact that Verizon MA does not have the specific numbering resources needed to satisfy this specific customer's request. A copy of the e-mail decision denying Verizon MA the code for the Customer is attached as Exhibit C.

Verizon MA submitted the MTE Certification Worksheet required by NANPA, completed in accordance with the Industry Numbering Committee's Central Office Code (NXX) Assignment Guidelines ("INC Guidelines"). Attached as Exhibit D is the MTE for Verizon MA's XXXX rate center to meet the Customer's request.

Verizon MA requested the specific consecutive telephone number blocks from NeuStar because it did not have them in its supply of numbers for the XXXX rate center. Attached as Exhibit E is a report from Verizon's Number Administration Center supporting Verizon MA's claim that the Customer's request could not be satisfied with the existing numbering resources in that rate center. Verizon-MA considers Exhibits A through E to be highly competitively sensitive and requests that the Department afford this information proprietary treatment because it contains customer specific data and data relating to number utilization and forecasted growth in the XXXX rate center.

## **II. REQUEST FOR WAIVER OF NANPA'S NXX CODE DENIAL**

By way of this letter, Verizon MA requests that the Department overturn NeuStar's decision and order that XXXX consecutive telephone numbers ending in the XXXX series be assigned to Verizon MA's XXXX central office switch to permit Verizon MA to serve the Customer. The Department has the authority to take such action pursuant to the FCC's Numbering Resource Optimization ("NRO") *Third Report and Order and Second Order on Reconsideration* (FCC 01-362), released December 28, 2001, in CC Docket No. 96-98 and CC Docket No. 99-200 ("*Third NRO Order*").

In the *Third NRO Order, Appendix A, Final Rules, 52.15(g)(4)*, the FCC states:

The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for

numbering resources and has exhausted all other available remedies.

Further, the FCC states:

We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center.

*Third NRO Order at 64.* In accordance with applicable FCC rules, Verizon-MA respectfully asks that the Department grant this waiver request so that the Company can continue to serve the Customer.

Thank you for your assistance in this matter. Please contact me at 617-743-9250 if you have any questions concerning this request.

Very truly yours,

Enclosures

cc: Mary L. Cottrell, Secretary

Michael Isenberg, Esq., Telecommunications Director (w/proprietary materials)

Paula Foley, MA DTE (w/proprietary materials)

Service List DTE 01-33

REDACTED